

REMARKS

Initially, Applicant acknowledge with appreciation that the Examiner has indicated claim 2 appears to overcome the art of the record, although in view of the rejections under 35 U.S.C. 112, first and second paragraphs, the claim is not deemed allowable at this time.

Claims 1, 3 and 4 remain pending in the application. Claim 2 has been canceled without prejudice or disclaimer of the subject matter thereof.

Reconsideration of the rejections and allowance of the pending application in view of the foregoing amendments and following remarks are respectfully requested.

The specification is objected to because of alleged informalities. In this regard the Examiner has asserted that there is no structure set forth to describe or define various components of the container including the “ornament portion 28” at page 3. Claims 1-4 are further rejected under 35U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In this regard the Examiner appears to assert it is unclear what structure represents a “connecting member” or a locking device at corresponding portions of the housing and the door. The Examiner appears to further assert it is unclear how the guide rail provides guidance of the insertion. Claims 1-4 are further rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In this regard the Examiner has asserted that the written specification fails to clearly define the structure of the “open-type tray”.

In response, the specification has been amended to more clearly disclose the ornament portion 28 and to clarify the alleged indefiniteness regarding the connecting

member, the locking device and the guide rail, and the claims have been amended to change "open-type tray" therein to --tray--. Thus, the objection to the specification and the rejection of the claims under 35 U.S.C. 112, first and second paragraphs, are now believed to be moot.

In the Official Action claims 1, 3 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Harada, U.S. Patent Publication No. 2003/0071047. This rejection is respectfully traversed.

In response, claim 1 has been amended to include all the limitations of claim 2 by further defining a guide protrusion formed at one end of the connecting member in order to guide a moving path of the door moved by the damper member, and a guide rail formed at a housing side surface to guide the guide protrusion, and claim 2 has been canceled.

Applicant's incorporation of the limitations of claim 2 into claim 1 is made without any acquiescence as to the propriety of the rejections made by the Examiner. Rather these amendments are made only to expedite allowance of the present application.

Independent claim 1 is now believed to be in condition for allowance in view of the amendments and the above-noted remarks. Dependent claims 3 and 4 are also submitted to be in condition for allowance in view of their dependence from the allowable base claim and also at least based upon their recitations of additional features of the present invention. It is respectfully requested, therefore, that the rejections under 35 U.S.C. 102(e) and 35 U.S.C. 112, first and second paragraphs, be withdrawn and that an early indication of the allowance thereof be given.

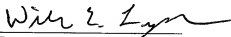
Any amendments to the claims which have been made in this amendment, and

which have not been specifically noted to overcome a rejection based on prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to be attached thereto.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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